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OFFICE OF PETITIONS

ON PETITION

In re Application of
Cox et al.
Application No. 10/031,154
Filed: April 24, 2002
Attorney Dkt. No.: 4152-3-PUS

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This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed May 18, 2007.

The petition to withdraw the holding of abandonment is **GRANTED**.

This above-identified application became abandoned for failure to timely file a response to a final Office Action which was mailed on June 27, 2006. The final Office Action set a three (3) month shortened statutory period for reply. Accordingly, this application became abandoned on September 28, 2006. A Notice of Abandonment was mailed on March 21, 2007.

In the present petition, petitioner contends a timely reply in the form of a Notice of Appeal and three month extension of time was submitted on December 27, 2006. In support of the petition, a copy of the Electronic Acknowledgment Receipt has been submitted.

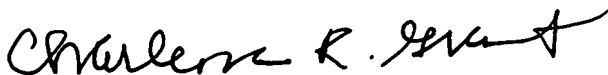
A review of the record shows that a Notice of Appeal and three month request for extension of time submitted on December 27, 2006 has been located in the record.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The two-month period for filing an appeal brief in triplicate (accompanied by the fee required by 37 CFR 1.17(c)), runs from the date of this decision. See 37 CFR §§ 41.31 and 41.37.

The application is being referred to Art Unit 1646 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant", with a stylized flourish at the end.

Charlema R. Grant
Petitions Attorney
Office of Petitions